

BIG SANDY NEWS.

Aut inveniam viam, aut faciam.

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LOUISA, LAWRENCE COUNTY, KENTUCKY, SEPTEMBER 30, 1910.

M. F. CONLEY, Prop.

PARDONED.

Dr. F. D. Marcum is Set Free by the Governor.

Says He Will Uphold Officers of the Law Who Try to Suppress Rowdism on Trains.

Gov. Willson on last Friday, issued a pardon to Dr. F. D. Marcum, of this county, for the killing of John Whitaker. The pardon was taken after going due notice to the prosecution and providing the protests they had to offer.

In granting the pardon the Governor said in part:

States-out of the Governor.

The jury did not agree on the first trial, and certain questions of law being certified to the Court of Appeals that Court, in its opinion by Judge Barker, stated the facts as shown by the evidence and report which there is no material question.

The application was presented to me by a delegation of the very best officers of the law, and I had a chance to hear the evidence and to become acquainted with the facts. I am convinced that the facts made for pardon after the first trial, which I refused to grant until a further trial of the case. This trial has now been held and the defendant has been convicted.

The statement in the opinion of the Court of Appeals is thoroughly satisfactory to me with my recollection of the testimony. On the return of a similar conviction from Lawrence county, John Whitaker and his two brothers and several friends were drunk and disorderly and interfered with the comfort and endangered the safety of other passengers on the train. They had been drunk and disorderly in Catlettsburg, and were a rowdy, law-breaking crew. One of them had the sense to take Whitaker's pistol from him, to prevent his getting into trouble. The train was returning at night, and they had with them a still case and several bottles of whiskey and gin in it and were hilarious and rowdy in their conduct.

The conductor, Frank Blesher, warned Whitaker several times to keep quiet and finally stated that Whitaker must keep quiet or he would have him taken off the train, that he had a man on the train who would do it. He referred to the applicant, Dr. F. D. Marcum, who was Marshal of Lawrence county, at the conductor's request. Marcum went into the car to arrest Whitaker and others who were disorderly and unruly. He arrested the wrong man first, but this being explained, went back, and the disorderly man, who had seen the arrest of the first man, tried to avoid arrest, but was finally detected. The conductor discovered Whitaker and told the officer Marcum, "This is your man" and Marcum laid hands upon Whitaker and told him he was under arrest, and Whitaker resisted arrest and Marcum tried to enforce it, whereupon Whitaker assaulted Marcum and struck him down, and his brothers and perhaps others assaulted the Marshal and conductor and a general fight resulted, creating the greatest excitement and alarm among the passengers, many of whom tried to leave the car. The opinion of the Court says the Marshal was badly beaten about the face, the blood running freely from a wound on his head down into his eyes, and in the midst of the melee, he drew his pistol and shot John Whitaker, who died in a few minutes.

It also appeared in the evidence that Marcum, the officer, was struck over the head with a branding hammer, and that when he shot the hammer was uplifted and about to strike him again.

All of the Ministers at Louisa unite in asking the pardon. There is a petition signed by a large number of the very best people of Louisa personally known to the Governor, and a delegation which is entitled to command the respect of any officer in this Commonwealth.

offices in presenting the petition.

I suspended the decision of this case because notice had not been published since the conviction, although notice had been published before, but the Commonwealth Attorney has had notice and has written me a letter on the subject, approved by the Circuit Judge, who filed the case, so that the Commonwealth had full notice which was the object of the Governor's rule, but as there were employed counsel who took great interest in the case and they had not notice, I decreed them to submit any suggestions either in writing, or orally as they chose, on or before next Wednesday, the 21st inst.

When I read this case first, I felt that Marcum had a right to be pardoned, but I did not wish to interfere with the judicial branch, and let the matter go to a trial. I am surprised at the result of this trial, but it does not change the facts. There is no question that Marcum, who is a doctor, and was not an office seeker, accepted the office of town Marshal in the interest of the public and not for his personal benefit. There is no question that he is an upright, honorable, honest man, who has the respect of all of the community.

The evidence shows that there has been an increase in the number of trains, and that the roads have been made it impossible to accommodate for the number of passengers and have taken some pride in leaving the streets. There was no personal feeling in the matter. Marcum has a record and any trouble with Whitaker. There is no pretense that he had any personal feeling against Whitaker.

GEORGE ED. CHAPMAN.

Death Removes One of Lawrence County's Old Citizens.

The following facts concerning the late George Ed. Chapman, of this county, and whose death occurred on Thursday of last week, are taken from the Catlettsburg Tri-une, whose editor, E. Frank Chapman, is a brother of the deceased.

He was born in Gallia county, W. Va., March 1, 1836, which made him seventy years old last March. In about 1847 he came to the Big Sandy valley where he spent the remainder of his life. He was engaged in the grocery business in Hinton for many years, 1876, in the Brown, Daxson and Son's building, Third Avenue. During the civil war he enlisted and served in the Federal army, in the 17th Ohio Infantry, and has numerous surviving comrades in this section by whom he will be remembered. At one time Mr. Chapman was one of the largest sawmill operators along the river. After the building of the old Chattanooga railroad, now the C. and O. Chapman station was named for him. When the N. and W. was built up Twelve Pole he furnished largely the commissary supplies for the construction crews from a store he operated at Last Creek, near Glen Hays, the nearest point to the road from the river.

He was a member of the Methodist Episcopal church and during his latter days was a very devoted member. It had long been his purpose to build a new church at his home village, but was prevented by ill health.

He was the son of Isaac Chapman and wife Sarah Chapman, and was the oldest of five brothers. One sister, Mrs. Sarah F. Ward, of Rio Grande, O., survives him.

He has four sons and three daughters living, namely, George, of Meek Station, Ky.; T. H., of Kermitt, W. Va.; Luther, of Portsmouth, O.; Trimble, still single and at home; Mrs. William Wallace, of Kermitt, W. Va.; Mrs. Alla Harrod, of Lima, O.; Miss Mayme, still single and at home. He was twice married. His first wife was Miss Rebecca Dobbins, who died about thirty years ago. His second wife was Mrs. Mary Maynard, the widow of the late Thomas Maynard.

A Railroad.

Dispatches from Eastern Kentucky carry the information that it is practically certain that the Lexington & Eastern railroad is to be extended from Jackson to the coal fields in Letcher county. The extent due to be followed is not indicated.

The extension of the Lexington & Eastern has been discussed at frequent intervals since the road was completed to Jackson some twenty-three years ago. The road at present is ninety-three miles in length. It was the original intention of its builders to carry it farther into Eastern Kentucky, but railroad construction in the mountainous country is costly and while there have been reports from time to time that the Lexington and Eastern would be extended, its terminus has remained at Jackson for a quarter of a century. In the meantime the vast coal fields beyond Jackson are being undeveloped in that region are several counties that are without railroad facilities. The people of these counties would welcome the coming of the road and Kentuckians in general who feel an interest in the development of the State's resources would be glad to see the long-deferred Lexington & Eastern extension a fixed fact.

Letcher county is badly in need of a railroad. It has vast deposits of the finest cooking coal and it has splendid timber resources. A railroad is now being built into Harlan county and should the Lexington & Eastern be extended to let her county all the counties on the Virginia and West Virginia border, with the sole exception of Martin, would be supplied with railroad facilities. In those counties which already have felt the beneficial influence of railroad development, has been great and it would be equally great in Letcher.

The extension of the Lexington & Eastern would be the most important move of the kind that has been made in Eastern Kentucky since the Chesapeake & Ohio railway was extended to the Elk Horn coal fields. It is to be hoped the present favorable reports from the project are well founded.

State S. S. Convention.

This is the last time we can call attention to the coming convention of the State Sunday School Association of Kentucky. The convention will be held at Winchester, October 6-9, and promises to be one of the grandest ever held in the State. Many of the ablest Sunday school workers in Kentucky and in the United States will be at Winchester and take active part in the proceedings of the convention. The music will be an especially fine feature, with the renowned singer, O. Excell and A. W. Roper, present.

The entire programme of work is admirable, every feature being interesting and attractive. A very great crowd is expected, and to give all who attend free entertainment would be too great a task upon the hospitality of any people. The cost to delegates will be very small. Indeed, on what is known as the Harvard plan they will receive free lodging and breakfast, with one dollar as the cost of dinner and supper. For those who desire to entertain themselves reduced rates at hotels and boarding houses have been secured.

The fare from Louisa to Winchester and return is \$4.20. Delegates will do well to see O. K. Vaughan or M. S. Burns at once and secure their credentials. This must be done to secure these reduced rates for board and transportation.

Every Sunday school in Lawrence county should be well represented. Each school is entitled to one delegate for every hundred of its enrollment. It will be a delightful trip to this convention. The attraction of the great meeting is fine, and a trip through the famed Blue Grass at this season of the year is worth a great deal.

Entertained With Flinch.

Mrs. M. F. Conley entertained several friends with flinch on Saturday afternoon. The out of Louisa guests were Miss Edith Marcum, Mrs. Hildegarde Scholze, Mrs. Jock Johnson and Miss Birdie Gault.

DELIGHTFUL

Was the Masonic Reception Given by Louisa Lodge.

Grand Master Visits Local Lodge and the Occasion was Largely Attended by Members and Visitors.

One of the most interesting events in the history of Apperson Lodge No. 125, F. & M. occurred on last Monday night. The occasion was the visit of the Grand Master, John D. Cowles, of Louisville. His committee had been eagerly awaited and a reception had been made to give the distinguished gentleman a most pleasant and enjoyable visit. The lodge was crowded with members and visitors, and the occasion was a most successful one. The Grand Master was met at the train by a reception committee consisting of the officers and many members of the lodge, headed by Worshipful Master Robert Dixon, and was escorted to the Hotel Savoy, where he remained during his stay in Louisa, and where many of our citizens, Masons as well as others, called to pay their respects.

About 8 o'clock the lodge was duly opened and at 7 o'clock the interesting ceremony of conferring the Master's degree began. The degree in all its impressive beauty, was of course, conferred by Grand Master Cowles, and the recipient of such a high honor was Jack Thompson, a young salesman in the employ of Dixon, Moore & Co. Mr. Thompson has great reason to be proud of the great distinction of having been made a Master Mason by the Grand Master of Kentucky Masons. All present speak highly of the manner in which the sublime degree was exemplified on this occasion.

At the close of the ceremonies the lodge was called from labor to refreshment. The call was heard and unanimously heeded, and never did Knights of the Level Square and Plumb enjoy a finer repast. The table was spread in the spacious lodge room, and one hundred and thirty-five brethren of the mystic tie sat down and partook of the ample feast. Feast it was in every particular. Delicious fried chicken, salads, breads, relishes, pastry and fruit, coffee and cigars were only a part of the lavish spread which refreshed and cheered the hungry and thirsty craftsmen. Before the banquet began grace was said by Bro. the Rev. W. L. Reid. When cigars were lighted Bro. Tomlinson, W. J. Vaughan, rapped for order, and the feast of oratory began. The following brethren spoke in answer to the call of Bro. Vaughan: C. C. Hill, H. C. Sullivan, T. J. Snyder, H. D. Savage, Eminent Commander Ashland Commander No. 28; George Ginn, Ashland; Fred Atkinson, Master of Paintsville; P. P. Lester, W. Va.; Robert Dixon, Master of Apperson Lodge, Louisa, Ky., and the guest of the evening, John H. Cowles, Grand Master of the Grand Lodge of Kentucky. The Grand Master was called last so that he could have all the time he might desire, and for the other reason, probably, that no one cared to speak, following such distinguished a predecessor. He spoke chiefly along Masonic lines, and showed his extensive knowledge of masonry, its principles and its precedents. Some remarks Mr. Cowles made along a certain line were evidently brought out by something which had been said by another speaker. In speaking of the "higher" degrees in Masonry the previous speaker had said that his opinion of the three "Blue lodge" degrees contained substantially all there is in Masonry. In touching upon this Mr. Cowles said that while addition, subtraction, multiplication and division are the great principles which constitute the great science of mathematics, no one would dare say that algebra, geometry and other "higher" branches of

mathematics were not a part of the science itself. So, while the Entered Apprentice, Fellowcraft and Master's degree are the basis, the ground work of Masonry the "higher" degrees explain, continue and amplify the great "mysterious, glorious Science." Mr. Cowles is a pleasant, attractive speaker and he was listened to with great attention. At the close of the banquet the brethren united in singing "God be with you till we meet again," and at 12:49 a. m. the lodge was closed.

From start to finish the reception to the Grand Master was a delightful success, no unpleasant incident occurring to mar the harmony of the occasion. Masonic designs and emblems graced the table, even the napkins bearing the emblematic square and compass. All who had the reception in charge did their utmost to bring about a success, and they certainly achieved their end. Too much praise can not be given to Dr. E. O. Jenks, G. A. Nash and G. R. Burgess for their untiring labors in this direction.

In addition to those mentioned above, there were present from points outside of this vicinity and county Walter Mayo and Al. Savage, of Ashland; James W. Auxier, Fred Atkinson, Claude Buckingham, Dr. Hayes, J. S. Oppenheimer and Garland Rice, of Paintsville, and Taylor Workman, of Wayne.

Smallpox on Griffith's Creek.

Ned Thompson has smallpox. He is at his home on Griffith's creek, near the old Chattahoochee. It is supposed he contracted the disease from contact with a man who had been in jail at Wayne, where the malady had several victims. The premises where Thompson is, are quarantined and there is not much danger of the spreading of the disease.

AN UNUSUAL CASE.

Reformed Fugitive Pardoned by Governor Willson.

After spending twenty years in dread of being arrested and brought back to jail, from which place he escaped while serving a sentence for horse stealing, Beridge King, formerly of Pike county, now can look his neighbors in the face without apprehension or shame, for he has been pardoned. The Governor said King had earned the pardon by twenty years of straight living. In what State King now lives was not given out by the Governor, as the former convict is now holding a position of trust and it might count against him to have it known that he formerly was a convict.

The story of this man is one of the strangest that has been unfolded in some time. King was born in Pike county and lived in that county and in Floyd, in the Kentucky mountains, during the early part of his life. He became entangled with evil associates, and when he was 18 years old was arrested in Bath county on a charge of horse stealing. He was convicted in spite of the fact that he had been led into the crime by older men. King did not stay in the jail long, however. He escaped only a few months after he was sentenced, getting away from the guards.

Except the family and a few intimate friends, nobody heard of King until today. He went West, as was shown to the Governor, and literally grew up with the country. He finally drifted into Mexico and worked on railroads and at various other things until he now holds a position with a railroad. It is a position of trust and pays well. During twenty years that King has been in the West he has lived in constant fear of being recognized as an escaped convict and brought back to jail to serve out his sentence. He might have continued as he has for the last twenty years and probably never would have been arrested, but he grew weary of the strain, and wrote to his people in Kentucky asking that they try to get him a pardon. Congressman John Langley interested himself in behalf of King, and came to see Gov. Willson about the man. Gov. Willson took an interest in the case

at once and investigated, and found all the representations made to him were true. He said the object of punishment was the reformation of the criminal, and as an object lesson to others, and he thought in this case there had been reformation, so he granted the pardon.

The Kentucky North & South.

Brighter than ever before now looms up the prospects of the new K. N. & S. R. R., the proposed route which promises to make our little city the metropolis of Eastern Kentucky.

Superintendent J. C. Homer, accompanied by Dr. L. E. Miles, H. R. Lacy, and Henry S. Clarke, were here Thursday going over the proposed route of the road. Supt. Homer says that the required portion of the right-of-way, which has so long been a draw-back to the beginning of construction, has been secured, and that, within the next sixty days we may be surprised by seeing a gang consisting of at least 4,000 men at work preparing the road bed of the new enterprise.

Capital has been secured, right-of-way bought and donated, blueprints of the route made, specimens of the ores and clays along the route analyzed and exploited, and now all that remains to be done is to let contracts for building of the road. This is the purpose of the above named gentlemen, and we can only wish them God-speed in the securing of contractors.—Grayson B. Herald.

Will Be Unveiled Monday.

The monument erected by John M. Elliott, of Catlettsburg, in memory of her distinguished husband and which will be presented by her to that city, will be unveiled and dedicated next Monday. The attendance will, weather permitting, be very large. It was intended that the dedication address should be made by the Hon. James McCreary, who had been the life long and intimate friend of Judge Elliott, but it being impossible for Senator McCreary to be present on this occasion Judge E. C. O'Rear, of the Court of Appeals has been invited and has accepted the invitation to deliver the address.

The exercises will be opened at one o'clock in the afternoon, in order that the people from along the Sandy Valley may reach the city on the C. and O. train that arrives in Catlettsburg from Pikeville at ten-twenty-eight o'clock.

The meeting will be called to order at the above named hour, by Attorney E. Poe Harris, who will preside over the exercises.

Hon. John J. Montague, mayor of Catlettsburg, will deliver an address of welcome. This address may be responded to by some one yet to be selected.

Hon. Proctor K. Mallin, of Ashland, on behalf of Mrs. Elliott, will present formally the monument to the city and county. The unveiling of the monument will be by little Miss Louise Elliott Beard, daughter of James Beard of Catlettsburg.

The unveiling will be followed by the address of Judge O'Rear.

Mashed Two Fingers.

While loading rails near Graves Shoals on Wednesday last W. L. Rice, one of the extra force, sustained a painful injury. The index and middle fingers of his right hand were caught between the bottom of the car and a rail and very badly mashed. He came to Louisa, where his injuries were attended by the company surgeon, Dr. G. W. Wroten. Rice is a son of the Rev. French Rice, and with his family resides at Buchanan.

Caney R. R.

M. L. Conley, of Cannel City, spent Friday night in West Liberty. Mr. Conley has charge of the construction of the Caney R. R., which is now nicely under way. He thinks he will have it completed from Caney to Malone by January 1. The Caney road when completed will be a line 13 or 14 miles, running from Cannel City to the mouth of Caney. The nearest point to West Liberty will be about one and one-half miles.—Licking Valley Courier.